

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO: 5:09-CV-00023-BR

MORRIS & ASSOCIATES, INC.,)
Plaintiff) ORDER
v.)
COOLING & APPLIED TECHNOLOGY,)
INC.,)
Defendant)

This matter is before the court on the 20 August 2010 Memorandum and Recommendation (M&R) of Magistrate Judge David W. Daniel regarding plaintiff's 13 January 2010 motion for summary judgment. Neither party has filed objections to the M&R. The court ADOPTS the M&R as its own. Accordingly, that motion for summary judgment is ALLOWED, and the court finds that defendant infringed claims 1, 2, 5-10, 12 & 17 of U.S. Patent No. 7,470,173.

This 20 September 2010.

Paul Smith

W. Earl Britt
Senior U.S. District Judge